

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

LARRY BONHAM

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:05cv300WJG-JMR

HOME DEPOT U.S.A., INC.

DEFENDANT

JUDGMENT

This cause comes before the Court on motion of the Defendant, Home Depot U.S.A., Inc. [Home Depot] to dismiss [8-1] the fraud count in Plaintiff's amended complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). Pursuant to the Memorandum Opinion entered in this cause, this date, incorporated herein by reference, it is therefore,

ORDERED AND ADJUDGED that the Defendant's motion to dismiss [8-1] the fraud claim in this case be, and is hereby, granted.

ORDERED AND ADJUDGED that each party shall bear their respective costs associated with this motion.

SO ORDERED AND ADJUDGED this the 30th day of January, 2006.

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*Walter J. Gex III*  
UNITED STATES SENIOR DISTRICT JUDGE